

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re CONNETICS CORP. SECURITIES
LITIGATION

Case No. C 07-02940 SI

**LEAD PLAINTIFF'S [PROPOSED]
CASE MANAGEMENT ORDER**

This Document Relates To:

ALL ACTIONS.

Date: October 19, 2007
Time: 2:00 p.m.
Dept.: Courtroom 10, 19th Floor
Judge: Hon. Susan Illston

1 Pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court, the
2 terms of the Joint Case Management Statement, and good cause appearing, the Court hereby
3 adopts Lead Plaintiff's [Proposed] Case Management Order as the its Case Management Order
4 and the parties are ordered to comply with this Order:

5 1. The parties shall meet and confer within 10 days of the Court's ruling on
6 defendants' motions for dismissal, at which time the parties will engage in further discussions
7 concerning the disclosures required by Rule 26(a)(1), any modifications to limits on the number
8 of interrogatories and depositions and development of a discovery plan with regard to, among
9 other things, discovery of electronically stored information ("ESI"). To enable discovery to
10 proceed efficiently and to enable the parties to propound discovery that is properly tailored,
11 during this meet-and-confer session each party must be prepared to discuss, among other things:
12 (i) the type, kind, location, and amount of any potentially relevant ESI (including ESI
13 concerning, among other things, the Company's accounting entries during the Class Period and
14 Velac testing data); (ii) how the party maintained potentially relevant ESI during the Class
15 Period; (iii) how the party maintains potentially relevant ESI presently; (iv) any relationships
16 with a third party that contracts to and/or otherwise maintains the party's potentially relevant
17 ESI; (v) email retention policies and back-up and archiving programs (including the rotation,
18 archiving and/or destruction of back-up tapes and/or systems recovery routines); (vi) persons
19 responsible for maintaining computer hardware, data or information systems that contain
20 potentially relevant ESI (presently and during the Class Period); (vii) identification of all
21 operating systems used during the relevant Class Period and presently by persons with
22 knowledge of facts relevant to this action; (viii) the most efficient and effective means of
23 producing that party's ESI (*i.e.*, native format or otherwise); (ix) the steps taken by the party to
24 preserve ESI, including meta-data, and store that ESI pending production; (x) who specifically
25 the party directed to preserve documents, including ESI; and (xi) whether and how old hardware
26 and/or legacy systems that may have potentially relevant ESI, if any, have been stored to
27 preserve documents.
28

2. Each defendant must be prepared to produce, within 21 days of a decision by the Court denying that defendant's motion for dismissal, all documents already gathered and produced by that defendant to any governmental entity or regulatory body concerning any of the matters set forth in the amended consolidated complaint.

3. Pending a decision on defendants' motions for dismissal, the Court sets the following schedule:

ACTION	DUE DATE
Meet and Confer re: disclosures required by Rule 26(a)(1) and exchange of information regarding ESI	10 days after any ruling on Motions for Dismissal
All Defendants Answer	20 days after denial of a defendant's Motion for Dismissal
Defendant produces documents provided to governmental entities concerning any of the matters set forth in the amended consolidated complaint.	21 days after denial of that defendant's Motion for Dismissal
Class Certification	Motion: 60 days after all defendants serve Answers Opposition: 45 days after Motion filed Reply: 30 days after Opposition filed
Each Side Identifies Areas of Expert Testimony and Experts	8 months from date of last filed Answer
Identification of Rebuttal Experts	9 months from date of last filed Answer
Fact Discovery Cut-Off	10 months from date of last filed Answer
Expert Reports Exchanged	30 days after Fact Discovery Cut-Off
Rebuttal Expert Reports Exchanged	30 days after exchange of Expert Reports
Expert Discovery Cut-Off	30 days after exchange of Rebuttal Reports
Dispositive Motions	Motion: 30 days after Expert Discovery Cut-Off Opposition: 60 days after Motions filed Reply: 30 days after Oppositions filed
Pre-trial Conference	2 weeks prior to trial
Trial	30 days after hearing on Dispositive Motions, or upon resolution of Dispositive Motions

1 4. Lead Plaintiff shall provide its damage calculations as part of expert discovery
2 and need not provide damages calculations in its initial disclosures under Rule 26.

3
4 IT IS SO ORDERED.

5
6 Dated: _____

UNITED STATES DISTRICT JUDGE